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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

JOHN BONILLA as CHAIRMAN and GIL  
CROSTHWAITE as CO-CHAIRMAN of the  
BOARDS OF TRUSTEES FOR THE  
OPERATING ENGINEERS HEALTH AND  
WELFARE TRUST FUND, et al.,

Plaintiffs,

v.

WHEAT LAND SURVEYING, INC., a  
California corporation; and ROBERT  
WHEAT, an Individual,

Defendants.

**CASE NO. C-05-4942 MEJ**

**STIPULATION FOR ORDER TAKING  
PLAINTIFFS' MOTION TO ENFORCE  
SETTLEMENT AGREEMENT OFF  
CALENDAR;  
~~(PROPOSED)~~ ORDER THEREON**

**DATE: June 26, 2008**

**TIME: 10:00 a.m.**

**CTRM.: B, 15<sup>th</sup> Floor**

**JUDGE: Hon. Maria-Elena James**

The parties having reached an agreement with respect to the carrying out of the settlement agreement in this action,

IT IS HEREBY STIPULATED, by and between the parties hereto, through their respective counsel, that plaintiffs' motion to enforce the settlement agreement, currently scheduled for hearing on June 26, 2008, be taken off the Court's calendar.

DATED: June 12, 2008.

BEVINGTON LAW FIRM

By: /s/ Anne Bevington.  
Anne Bevington  
Attorneys for Plaintiffs

DATED: June 12, 2008.

GAGEN, McCOY, McMAHON &  
ARMSTRONG

By: /s/ Patrick J. McMahon.  
Patrick J. McMahon  
Attorneys for Defendants

~~PROPOSED~~ ORDER

Pursuant to the stipulation of the parties, **IT IS SO ORDERED.**

DATED: June 16, 2008

  
HON. MARI-LOUINA JAMES  
UNITED STATES MAGISTRATE JUDGE

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2 agreement in this action,

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BEVINGTON LAW FIRM

7  
8 By: \_\_\_\_\_

9 Anne Bevington  
Attorneys for Plaintiffs

10 DATED: June 12, 2008.

GAGEN, McCOY, McMAHON &  
ARMSTRONG

11  
12  
13 By: \_\_\_\_\_

14 Patrick J. McMahon  
Attorneys for Defendants

15  
16 **~~PROPOSED~~ ORDER**

17 Pursuant to the stipulation of the parties, **IT IS SO ORDERED.**

18  
19 DATED: June 16, 2008 \_\_\_\_\_

20 HON. MARA ELYNA JAMES  
21 UNITED STATES MAGISTRATE JUDGE  
22  
23  
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